



DEVELOPMENT MANAGEMENT COMMITTEE

Report by Head of Planning, Economic Development and Regeneration

1 DESCRIPTION

Planning permission in principle for the erection of 2 houses at Land between 27 and 29 Wellview Lane, Murieston, Livingston, West Lothian, EH54 9HU.

2 DETAILS

Reference no.	1245/P/21	Owner of site	Mr & Mrs Gordon Connolly
Applicant	Mr & Mrs Gordon Connolly	Ward & local members	Livingston South Councillor Lawrence Fitzpatrick Councillor Peter Heggie Councillor Peter Johnston Councillor Moira Shemilt
Case officer	Alexander Calderwood	Contact details	01506 280000 Alexander.calderwood@westlothian.gov.uk

Reason for referral to Development Management Committee: Referred by Councillor Peter Heggie

3 RECOMMENDATION

Grant planning permission in principle subject to the attached conditions and the applicant entering into a planning obligation

4 DETAILS OF THE PROPOSAL AND BACKGROUND

- 4.1 Planning permission in principle is sought for the erection of 2 houses on land between 27 and 29 Wellview Lane, Murieston. The site is vacant land within a residential estate located on the south side of Livingston. The south eastern and south western boundaries of the application site coincide with the settlement boundary of Livingston, as identified in the West Lothian Local Development Plan.
- 4.2 The submitted plans indicate that the application site is approximately 2300 square metres in area. The submitted plans illustrate 2 detached dwellings within the application site, with 29 Wellview Lane bordering the site immediately to the west and 27 Wellview Lane bordering the site immediately to the east. Access to the site would be via a new vehicular access formed to the north and parking provision for 2 vehicles per dwelling is shown on the submitted plans.

History

4.3 The relevant site history for the wider area is set out below:

- **LIVE/0760/FUL/98** – Demolition of house and erection of 27 houses and related new roads and landscaping – **Approved: 15/12/98**
- **LIVE/0642/FUL/99** – Erection of 30 houses and ancillary works – **Approved: 14/02/00**
- **LIVE/0679/FUL/00** – Removal of condition 8 and 14 of planning 0642/99 to allow larger rear gardens plots 3-12 and remove proposed footpath/bridleway – **Approved: 22/09/00**
- **LIVE/1118/FUL/00** – Variation of condition 0642/99 to allow up to 15 houses to be occupied in any one academic year between 1 August and 31 July – **Approved: 27/01/01**

EIA Development

4.4 The scale and nature of the development is such that it is not EIA development. It does not fall within Schedule 1 or Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 2017 (EIA Regulations).

Equalities Impact

4.5 The application has been assessed and has no impact in terms of equalities or human rights.

5. REPRESENTATIONS

5.1 Eight letters of objection and 3 letters of neutral comments were submitted in relation to the original proposals. The proposals were amended and re-notified on 2 occasions. No new objections from different households were received, but 4 households that had objected previously, objected again.

5.2 No objections have been withdrawn.

5.3 A summary of representations is located in the table below and the letters are attached to this report.

Comments	Response
<ul style="list-style-type: none"> • Concern over the boundaries detailed in the submitted plans, which included land that does not belong to the plot of land seeking planning consent. 	<ul style="list-style-type: none"> • In the subsequent submissions/revisions the boundary line in the plans has been corrected.
<ul style="list-style-type: none"> • Concern that the density of the development is unsuitable because the wider estate was granted for 30 units in 2000 (29 of which have been built), and the application was earmarked for 1 unit. 	<ul style="list-style-type: none"> • Whilst a 30 unit estate was granted in 2000, additional units can be achieved as long as there are no adverse implications for neighbouring properties and as long as a satisfactory residential environment can be achieved. • In terms of density, the layout is in

Comments	Response
	<p>keeping with the spatial pattern of the wider estate. The distance between the proposed units and neighbouring properties is similar to the distance between properties within the wider estate.</p> <ul style="list-style-type: none"> • Additionally, the application site is one of the larger plots in the estate and so has the potential to accommodate 2 units.
<ul style="list-style-type: none"> • Concern that the proposal is out of character within the context of the surrounding estate. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the removal of the original proposed garages to the front of the application site. Whilst many of the neighbouring properties have detached garages there is no reason that their absence would have an adverse implications for the character of the wider area. It will in turn free up more open space to the front of the 2 units. • Additionally, the application is for planning permission in principle. Therefore, a full assessment of the impact of the development on the character of the wider area cannot be undertaken until a detailed application has been submitted. The proposed siting and layout of the development indicates that this could be achieved.
<ul style="list-style-type: none"> • Concern that the proposal will have adverse implications for neighbouring residential amenity. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the two proposed units sitting almost gable to gable with the properties immediately adjacent. Whilst they may not be directly in line with one another, this is not notably different from the relationship between other properties in the wider estate. • When a detailed application is submitted, further assessment of the impact on residential amenity will take place.
<ul style="list-style-type: none"> • Concern that the design of the proposals are unsuitable. 	<ul style="list-style-type: none"> • Revised plans were submitted showing the removal of the original proposed garages to the front of the application site. When a detailed

Comments	Response
	application is submitted further assessment of the suitability of the design will take place. The proposed siting and layout of the development are acceptable.

6. CONSULTATIONS

6.1 This is a summary of the consultations received. The full documents are contained in the application file.

Consultee	Objection?	Comments	Planning Response
WLC Education Planning	No	Contributions shall be required for secondary education facilities.	Noted. Should planning permission be granted, the relevant developer contributions will need to be secured via a legal agreement/planning obligation.
WLC Roads & Transportation	No	Requested the following condition: - The first 6m of the access shall be surfaced in bituminous material.	Noted. Condition to be attached to the decision notice.
Contaminated Land Advisor	No	The desk study is approved and sufficient for planning permission to be granted. The need for a Phase 2 Intrusive Investigations can be conditioned within the planning permission in principle. The requirement for a Remediation Strategy and subsequent verification report to be confirmed on completion of the Phase 2 Assessment.	Noted, Phase 2 SI to be conditioned.

7. PLANNING POLICY

7.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 The development plan comprises the Strategic Development Plan for South East Scotland (SESplan) and the West Lothian Local Development Plan

7.3 The relevant development plan policies are listed below:

Plan and Policy	Policy Summary	Assessment	Conform?
West Lothian Local Development Plan (LDP) (2018) DES1 - Design Principles	All development proposals will require to take account of and be integrated with the local context and built form.	The proposal is acceptable in terms of design and appearance and will not have any significant detrimental impact on the immediate neighbours or the surrounding area.	Yes
LDP HOU 3 Infill/Windfall Housing Development within Settlements	New housing development will be supported on sites within settlement boundaries subject to certain criteria.	The site falls within the settlement boundary of Livingston on what is clearly an example of an infill site. The site is within a residential estate and residential units lie immediately to the east and west. The site is acceptable for residential development in principle.	Yes
LDP INF1 - Infrastructure Provision and development obligations	The council will seek developer obligations in accordance with Scottish Government Circular 3/2012.	The applicant will require to pay contributions by way of an upfront payment or S75 agreement. No decision will be issued until payment or agreement is concluded.	Yes – Subject to the relevant planning obligations being secured by legal agreement.
LDP EMG 3 – Sustainable Drainage	Developers may be required to submit a Drainage Impact Assessment (DIA) to ensure that surface water flows are properly taken into account in the design of a development.	The permission will be conditioned requiring full drainage details to be submitted as part of the detailed application that will follow.	Yes.
LDP EMG 6 – Vacant, Derelict and Contaminated Land	Where it is suspected by the council that a development site may be contaminated, the developer will be required to undertake a site investigation, to the satisfaction of the council.	The applicant submitted a phase 1, which will require further intrusive works via condition.	In part, however, this could be achieved by condition.

7.4 Other relevant policy guidance and documents are listed below:

- Scottish Planning Policy 2014 (SPP)
- Designing Streets
- Statutory Supplementary Guidance (SG):
 - Residential Development Guide (2019)

8. ASSESSMENT

8.1 The determining issues in respect of this application are listed below:

Layout, scale, massing, design

8.2 The proposed development falls within an existing residential estate which was granted planning permission for 30 units under LIVE/0642/FUL/99. 29 units have been built and the current planning application seeks to develop on the vacant, 30th plot. Whilst the estate was approved for 30 units, additional units can be achieved as long as there are no adverse implications for neighbouring properties and as long as a satisfactory residential environment can be achieved.

8.3 The layout is in keeping with the spatial pattern of the wider estate. The distance between the proposed units and neighbouring properties is similar to the distance between properties within the wider estate. Additionally, the application site is one of the larger plots in the estate and so has the potential to accommodate 2 units. The layout of the two units is such that they are in keeping with the character of the wider estate. The proposals were amended and renotified on two occasions. The original submission showed the 2 units much further back (to the south) into the site and significantly out of line with the neighbouring properties. The latest revisions now show the 2 units in a better location, more in line with the neighbouring residential properties and in turn, more suitable within the context of the surrounding area.

8.4 Revised plans were submitted showing the removal of the originally proposed garages to the front of the application site. This has removed the garages from a prominent location adjacent to the road and access. Transportation was consulted on the application and has confirmed its support of the proposals, the access and the parking provision on the basis that it is conditioned that the first 6m of the access shall be surfaced in a bituminous material.

Residential Amenity

8.5 The original submission showed the 2 units much further back into the site and significantly out of line with the neighbouring properties. The gable walls of the proposed units overlooked almost the entirety of the neighbouring dwelling's rear garden grounds (to the east and west) which would have had an unacceptable overbearing and imposing impact. They would have had an unacceptable impact on neighbouring residential amenity. The latest revisions show the two proposed units sitting almost gable to gable with the properties immediately adjacent. As amended, the proposals will not have a detrimental impact on neighbouring residential amenity.

9. CONCLUSION AND RECOMMENDATION

- 9.1 The proposal complies with policies DES1 (Design Principles), HOU 3 (Infill/Windfall Housing Development) within Settlements, INF1 (Infrastructure Provision and development obligations), EMG 3 (Sustainable Drainage) and EMG 6 (Vacant, Derelict and Contaminated Land) of the West Lothian Local Development Plan 2018; as well as the associated supplementary guidance titled 'Residential Development Guide', 2019.
- 9.2 It is therefore recommended that planning permission in principle be granted, subject to conditions and the applicant entering into a planning obligation.

10. BACKGROUND REFERENCES & ATTACHMENTS

- Location Plan
- Site Plan
- Representations
- Local Member Referral Form

Plans and site photos are available in the accompanying slide presentation pack.

Craig McCorriston
Head of Planning, Economic Development and Regeneration

Date: 06.07.22



Agenda Item 6



1245/P/21 - Land Between 27 And 29 Wellview Lane Murieston Livingston EH54 9HU

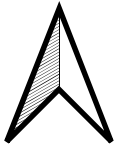
Development Management - West Lothian Civic Centre - EH54 6FF

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25

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25 m





WELLVIEW LANE
LIVINGSTON

LOCATION PLAN

PLANNING

21061 - P01A

1:1250 (A4)

SW

A 22/06/22 BOUNDARY ALTERED

0 20m 40m 60m

SCALE 1:1250

SITE BOUNDARY
OUTLINED IN RED

SITE OWNED BY APPLICANT
OUTLINED IN BLUE

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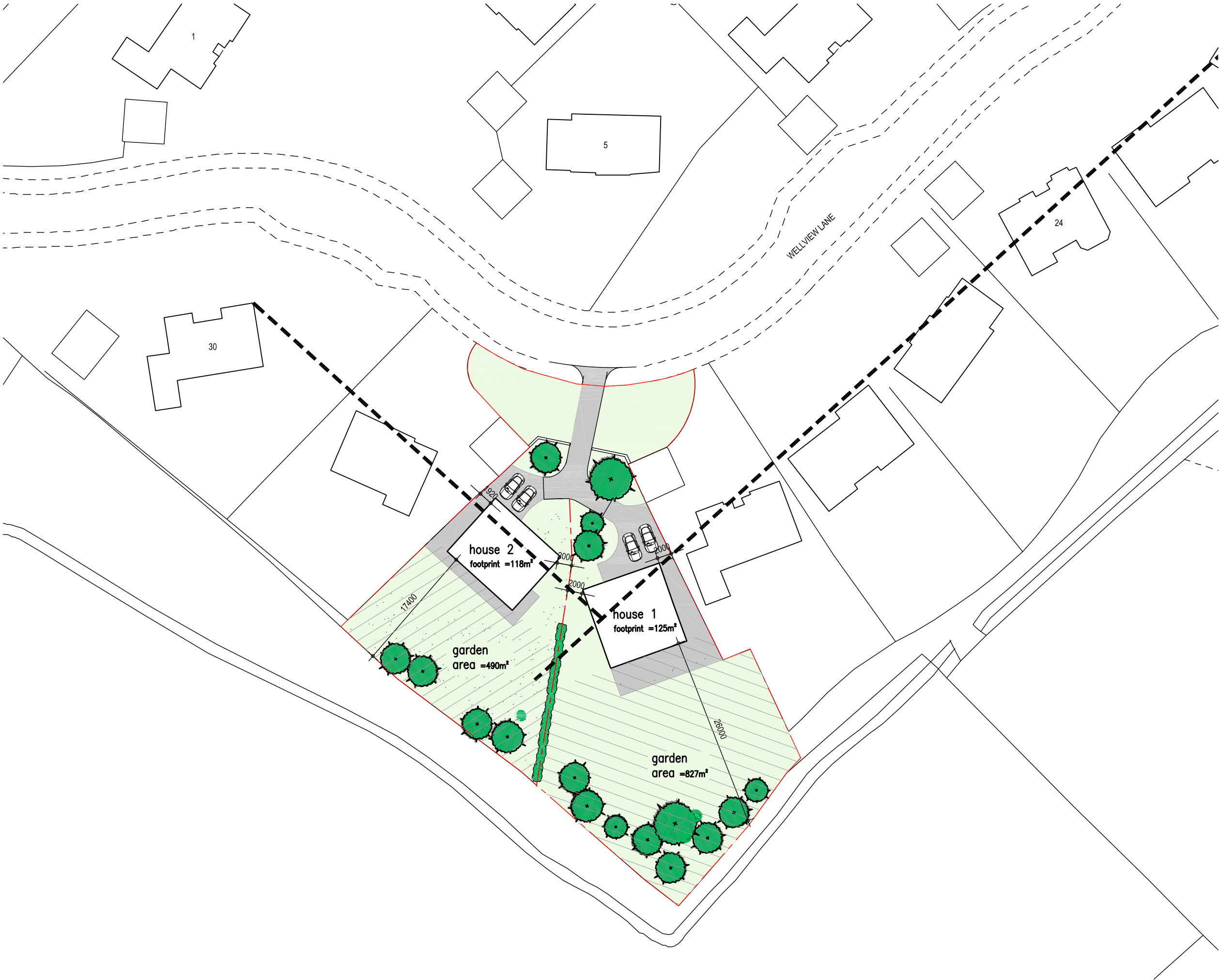
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All dimensions are to the structure and exclude any plaster / plasterboard finishes.

Location Plan [1:1250]



WELLVIEW LANE
LIVINGSTON

project

SITE PLAN

title

PLANNING

status

21061 - P02D

drawing

1:500 (A3)

scale

SW

ref

A	16/12/21	SITE BOUNDARY
B	10/02/22	BUILDING LINE AND DIMENSIONS
C	23/02/22	PLANNERS COMMENTS
D	12/05/22	PLANNERS COMMENTS

revisions

SCALE 1:500

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All dimensions are to the structure and exclude any plaster / plasterboard finishes.

notes

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Site Plan [1:500]

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Ms angela murtagh

Address: 5 wellview lane Murieston Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Can I have more information please on the position of the new garages on one of the attached documents. More so the garage on the side of No.29. My concern is there maybe Road Safety/Access issues with regard to inadequate parking for the cars and the lack of our footpath if cars are left outside the garage doors.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs HAZEL Wilson

Address: 29 WELLVIEW LANE MURIESTON LIVINGSTON EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposals in Planning Application 1245/P/21 for the reasons listed below:

1. Density of Development

The Council's Local Development Plan gave guidance in the mid-1990s and showed the area now occupied as Wellview Lane zoned for 'low density residential development'.

Council Guidance on the density of development was confirmed with Planning Permission granted in 2000 on the basis of 30 units, and the approved Location Plan showing a SINGLE dwelling on the site in question e.g. at no. 28. Bryant Homes built 29 homes, and the plan of the development clearly shows a vacant plot (plot 3, later numbered as no. 28) marked up with a SINGLE dwelling.

Density of development at Wellview Lane is long established and approved by the Council as 30 units and the PRINCIPLE of a SINGLE dwelling at no. 28 is well established.

Hence, I object to the Application in Principle for two dwellings.

2. Loss of Residential Amenity and Character

Ref: Council's adopted Local Development Plan 'All development proposals will require to take account of and should be integrated with the local context and built form'.

Ref: Council's Supplementary Guidance Residential Development Guide

2.1 Character

Wellview Lane is a low density development of 30 units, currently 29 are constructed. One plot (no. 28) is vacant with no current buildings in the form of sheds, garages, or other. The low density of development sets the character of and distinguishes Wellview Lane from surrounding streets.

The two storey properties are detached and the majority (24 detached/5 integral) have detached garages. These are located either alongside, or set slightly forward of the house - no garages are located to the rear, or remotely to the front. This creates a development characterised by open gardens to the front (and rear), with several areas of open amenity (communal and private). Properties are carefully orientated to avoid /minimise overlooking, and this is particularly evident along the southern boundary through nos. 20 - 30.

Corner plot for no. 28 is narrow to the north and wide to the south, which creates difficulties fitting two dwellings into the plot - the shape and singular access dictating that houses be located further south into the plot, with increasing risk of overlooking/loss of privacy to adjacent properties.

Garages associated with the proposed two dwellings are shown located in front of the build line, in an area of prominent open space within the current streetscape.

The proposed development will have an adverse effect on the character of Wellview Lane due to the loss of open area and lack of respect for established build lines.

2.2 Residential Amenity

Residential amenity will be impacted and those neighbours who currently look across to an open area will, under the proposed development, look out onto an unattractive frontage comprising four garage doors.

The two dwelling layout places Houses 1 and 2 significantly closer to 27 and 29 Wellview Lane respectively, and the proposed garages approx. 15m closer to 5 Wellview Lane than would be required for a single dwelling as indicated on the original permission. This creates unnecessary erosion of privacy for existing properties as well as the new properties, together with an unnecessary loss of amenity to existing properties, loss of daylight, overlooking and visual intrusion (assuming two storey houses).

3. Design Principles

According to the Council Local Development Plan (Policy Des 1 Design Principles) development proposals should be 'high quality in their design', and 'proposals which are poorly designed will not be supported', further proposals 'should have no adverse implications for public safety'.

The Application shows proposed garages the same plan size and adjoined to existing garages at 27 and 29, resulting in the creation of two blocks of 'lock-up' style garages.

- Appearance of the proposed 'Lock-up' garages is contrary to the character of Wellview Lane and will have a detrimental impact on the neighbourhood thus indicating a significant departure from the character of Wellview Lane.
- Safety - Access to the garages of 28 is shown direct from the street and does not allow a 'set-

back' distance (6m in the Council's Supplementary Guidance for Residential Development) to ensure vehicles do not exit from a garage onto a highway (this includes the path), an essential requirement for the purposes of public safety. Safety issues also arise with the acute angle for vehicle manoeuvres.

- Distance shown from garage to front entrance of no. 28 is approx. 20m - an unrealistic layout which does not afford a practical layout for everyday use.
- Construction of the garage of no. 28 as shown will require structural changes to the garage of no. 29 (including roof, wall, foundations, roof guttering and drainage).

Accordingly, the Application fails to meet the requirements of Policy DES1 and demonstrates poorly designed proposals.

4. Supplementary Guidance Residential Development - Small Scale Residential Infill Development

- lack of sufficient detail

This Application in Principle is in regard to an 'Infill Site' within an existing residential development.

Council Guidance states the 'Council's preference is that an application is made for full permission'. As such full details of the development are required - including details of the type of dwelling, number of storeys, plans and elevations, materials, levels, cross-sections, details of neighbouring properties (list not exhaustive).

The current submission for Planning in Principle does provide the required level of detailed information to allow assessment of a 'small scale infill residential development' as required in Council Supplementary Guidance.

The application is missing basic information regarding the type of dwelling and no. of storeys which would be material to deciding an application in principle.

5. Conclusion

I am not opposed to development on plot 28 and would support a well-designed single dwelling with detached garage in keeping with the original approved plan for Wellview Lane. To fully reflect Planning Policy and established character of Wellview Lane, any approval of planning permission should be conditioned such that it:

- Does not increase the existing housing density e.g. 30 units in Wellview Lane
- Does not include garages located either to the rear, or remotely to the front, of the dwellings
- Includes garages separate from those of adjoining properties
- Respects the established build lines of the development
- Does not impact adversely on adjacent properties and streetscape
- Does not encroach beyond established boundaries or unnecessarily build on established open space

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Edward Galek

Address: 1 Linview Lane Murieston Livingston EH549HQ

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: The boundaries of the land backs on to our land and has been marked on the location plans incorrectly and on land that does not belong to the plot of land that is seeking planning. I do not have a problem with the application except for the boundary to the rear.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Mark Johnston

Address: 9 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: It would be good to understand more about the actual build and design of the houses. Also the garages appear to change the open and natural look of the street. Be good to see more plans on how they will actually look.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr David Guest

Address: 10 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We have reviewed the drawings and plans, we have two concerns:

1. That these two house don't match/ fit in with the same properties in the rest of the street. There seems to generally be 4 design types. Will these houses be in keeping/ similar design to the rest of the street?

2. Our other concern is the placement of the garages for both properties. It seems that where they are situated so that if car was parked in front of the garage, it would be positioned on the footpath. The entrance to the properties is on a bend which would make it dangerous if people needed to step on to the road when a car was entering or leaving the street.

If the garages could be moved into where they are passed the current gates, then I wouldn't be objecting.

12th Jan 2022
By email and hand delivery

29 Wellview Lane
Murieston
Livingston
EH54 9HU

Development Management Manager,
West Lothian Council,
Civic Centre,
Howden South Road,
Livingston,
EH54 6FF

Dear Sirs

**Objection to Planning Application 1245/P/21 - Land Between No 27 and No 29
Wellview Lane (Plot 28)**

I received a neighbour notification for the above application on the 30th of Dec 2001, with a deadline for response of the 13th January 2021. It contained no layout plans or other useful information. A single layout sketch plan was made available on the council's website on the 5th January 2022. There has been no pre-consultation sought from neighbouring properties on the proposal.

The application by the developer is for an infill site in an established residential development and not a field as stated on the application. As such the choice of an outline application seems contrary to the Council's guidance (Section 597 of the RDG refers).

I object to the proposed application for Plot 28 Wellview Lane for the reasons outlined below.

1. The proposal does not meet the requirements of the Council's Planning Policy, (LDP and DES 1) and Residential Development Guide.

The Application does not meet with the Council's Planning Policy as it does not respect its surroundings and is not in keeping with the established built form and as such will detract from and not contribute to the local environment, character and amenity of Wellview Lane.

The established design context and built form of the development within Wellview Lane is of large garden single plot (4/5 bedroom) homes, fronting onto an open streetscape and sitting behind landscaped gardens and common areas. Houses are set out to established build lines, ensuring high levels of privacy whilst reinforcing the high amenity of the neighbourhood. In support of this, garages and vehicle parking areas are positioned close to and in front of the houses.

The resulting open and spacious aspect of the streetscape is a defining characteristic of the development and is of high amenity value to residents (see photos in Appendix 1). These design principles also ensure private rear gardens throughout the development, which are free from the intrusion of noise, light and movement associated with vehicular access and egress to properties.

Application 1245/P/21 is in contrast to this character (i.e. houses behind the build lines, buildings on open space, garages distant from properties etc) and as such creates many unnecessary impacts on Amenity.

2. The material consideration of Density of Development

I object to the change of established density from 30 to 31 plots in Wellview Lane by the proposal of two dwellings on an established single plot.

The Application has not demonstrated any clear societal need to increase the housing density of Wellview Lane. Planning Approval was given in 2000 (see layout plan in Appendix 2) for a density of 30 homes in Wellview Lane. It also established the principle for a single house on plot 28, positioned on the established build lines, fully in keeping with the design principles, local context and character of the development.

3. The material consideration of Design and Layout (Houses)

The plot cannot accommodate two houses along the established build lines and requires the developer to depart from the established build lines (see photo and plan in Appendix 3), thereby creating unnecessary and adverse impacts.

As the proposed plan is drawn to footprint it does not give a full representation of the building's envelope and presence on the plot.

The design layout is an unwelcome and unnecessary departure from the established build lines and constitutes a poor design which should not be supported in line with Planning Policy.

4. The material consideration of Design and Layout (Garages)

The proposed garage locations are located 20m from their respective houses, positioned in a lock-up fashion with neighbouring garages, and are not in keeping with the established local context, use and built form (Appendix 1). They are also located outside of the established access gate and wall which has positioned Plot 28 in the existing streetscape for over 20 years.

At present all residents enjoy the amenity of close proximity of their vehicles to garage storage and housing access, without detriment to their neighbours. The proposed layout by comparison is poorly designed, will add an ugly frontage in a prominent part of the streetscape and would be an ill-suited departure from nature of development in Wellview Lane.

The aerial photograph in Appendix 4 gives an impression of how the garages will appear on plan. No similar arrangement exist anywhere within the local context of the Wellview Lane and surrounding area.

5. The material consideration of Amenity

Because the two properties proposed in Plot 28 are being located behind the established build line (Appendix 3), they will unnecessarily impinge on the amenity of the neighbouring properties.

Such encroachment is unnecessary and in choosing to promote two houses, the developer is creating an unnecessary infringement of the privacy enjoyed by the existing properties at 27 and 29 Wellview Lane (as well as that which could be enjoyed by a new single property for Plot 28).

Two properties situated behind the build line will have greater adverse impact on light penetration and over-shadowing to the existing properties, particularly in low-sun periods of the year.

Two properties bring greater building mass, presence and noise closer to and within greater sight line of the established properties

Finally, it is of note that the bare minimum of information has been provided and the ground-level sketch plan provided does not give an overall impression of the total plan area, height, roof line and presence of the buildings.

6. The material consideration of Environmental Impact – Loss of Open Space

The application places the garages within and adversely impacts an important area of established open space and streetscape which is contrary to Planning Policy and DES 1 (consideration of impact on Streetscape).

The open streetscape is defining character of Wellview Lane. On entering the lane, the open-space character is immediately established through the open aspects of the properties 1 through 4 Wellview Lane to the left. This continues through the aspects of plots 29, 28, 27, and 26 on the right before returning to the left front of Plot 5 and the common open space beyond. (See Appendix 1)

These open spaces have been maintained over the past 20 years by an active development control in the property deeds. This control was established in recognition of the amenity that the open space provides, as intended by the carefully planned original design. The application departs from this and if approved will create a precedent for the erosion of this amenity through other developments on the established open spaces of the lane.

The proposed development breaks the flow of open space in a prominent location and reduces this amenity by introducing two double garages in front of the established curtilage of plot 28, and moreover massing these with existing garages.

This constitutes poor design, will create an ugly frontage to plot 28 and should not be supported.

7. The material consideration of Road Safety.

I object to the Application as it creates unnecessary road safety concerns.

There is inadequate set back distance (the Council's recommended distance being 6m) to the proposed garages. Appendix 5 shows the position of the garages as proposed against the recommend 6m set back line.

The position of the garages will also result in cars frequently straddling the footpath. The layout also makes no allowance for the level difference between the road and the existing garages in this location.

This constitutes poor and unsafe design and should not be supported.

In concluding my response to the application, I would state that I am not opposed to development on Plot 28 and would support a well-designed single dwelling and detached

garage in keeping with the current development. The plot is unused, overgrown and would benefit from well considered development.

To fully reflect the Council's Planning Policy, and to ensure any development respects and enhances the long-established character of Wellview Lane, I would respectfully ask that any planning approval supports the developments established design principles and thereby: -

- Does not allow departure from the established build lines of the development
- Maintains the established housing density (30 houses for Wellview Lane)
- Does not place garages together in a lock-up fashion
- Does not unnecessarily build on established open space
- Places garages in close proximity to the front of property, set back a minimum distance from the lane.
- Prevents vehicles from and retains the privacy of the rear gardens.

Your Sincerely

Mark Wilson

Mr Mark Wilson

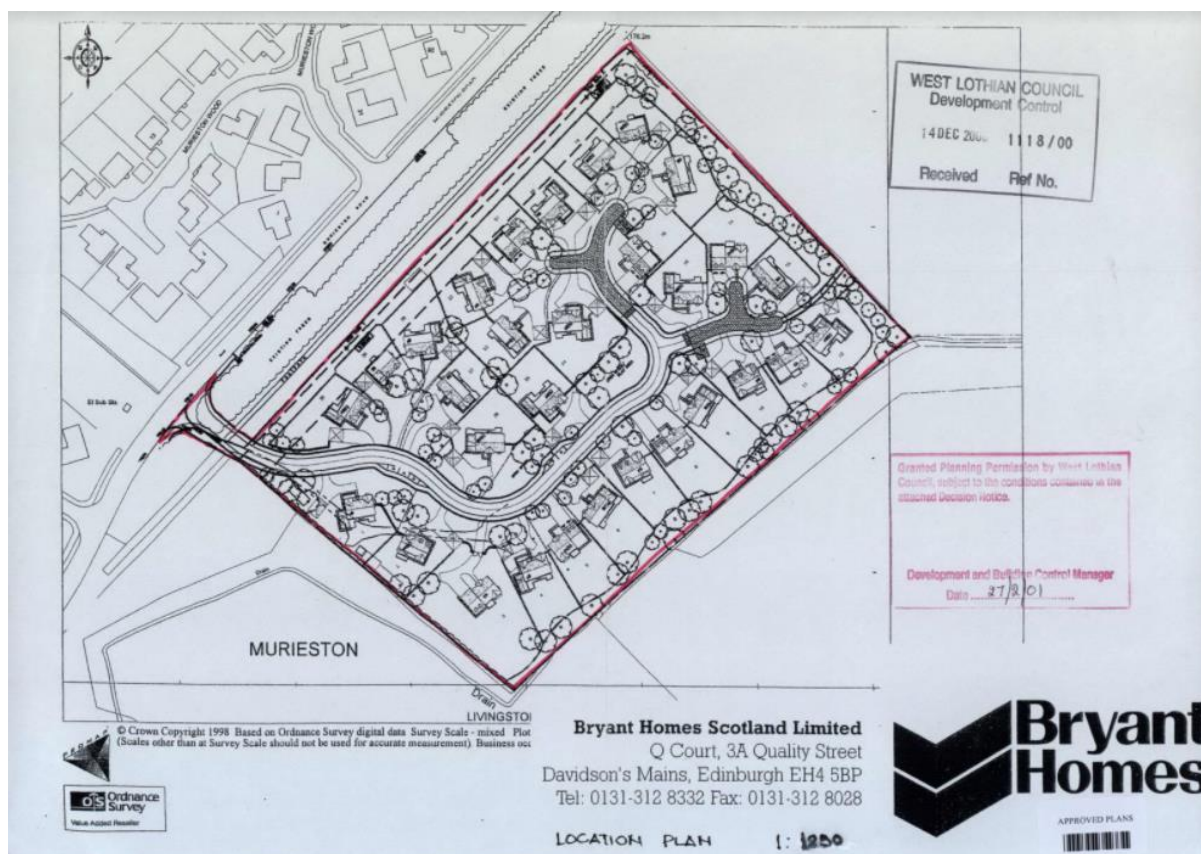
Appendix 1 - Local Context, Built Form, Streetscape and Character



Key Features

- Properties with open front gardens to enhance the open feeling of the streetscape.
- Landscaped areas in addition to the front gardens to enhance the streetscape
- Garages in close proximity to houses and cars parked in close proximity
- Established build lines to ensure housing is aligned
- Large rear gardens restricted to pedestrian access
- No vehicle access behind houses and build lines
- Established corner plots are very large plots and all have single dwellings

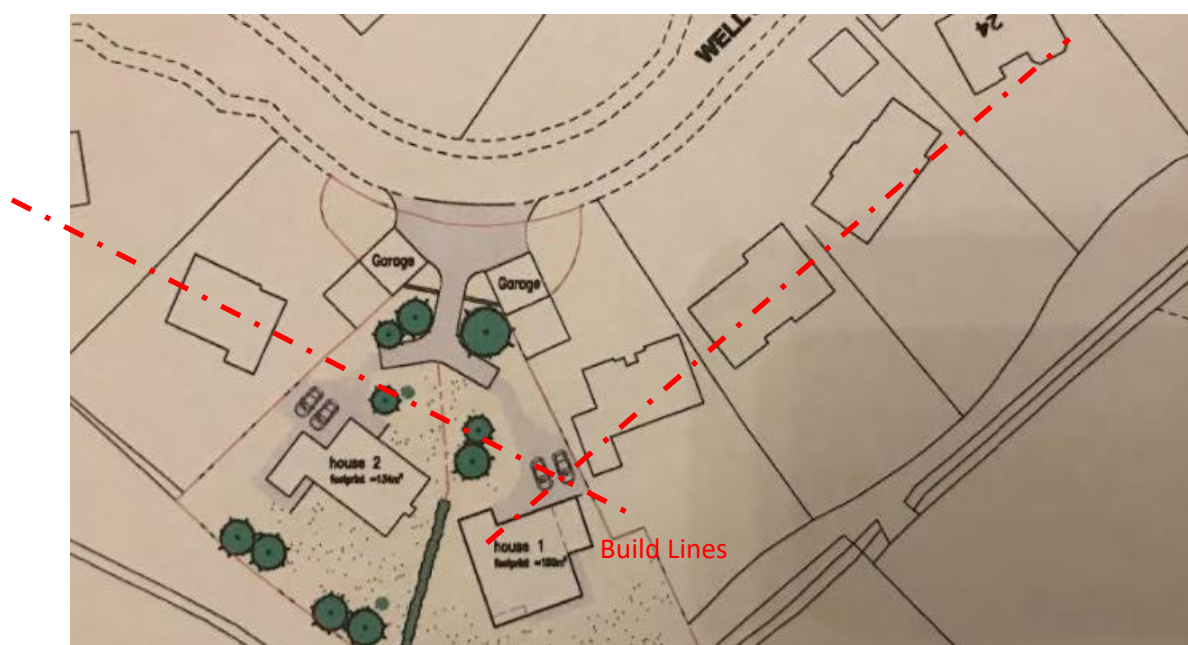
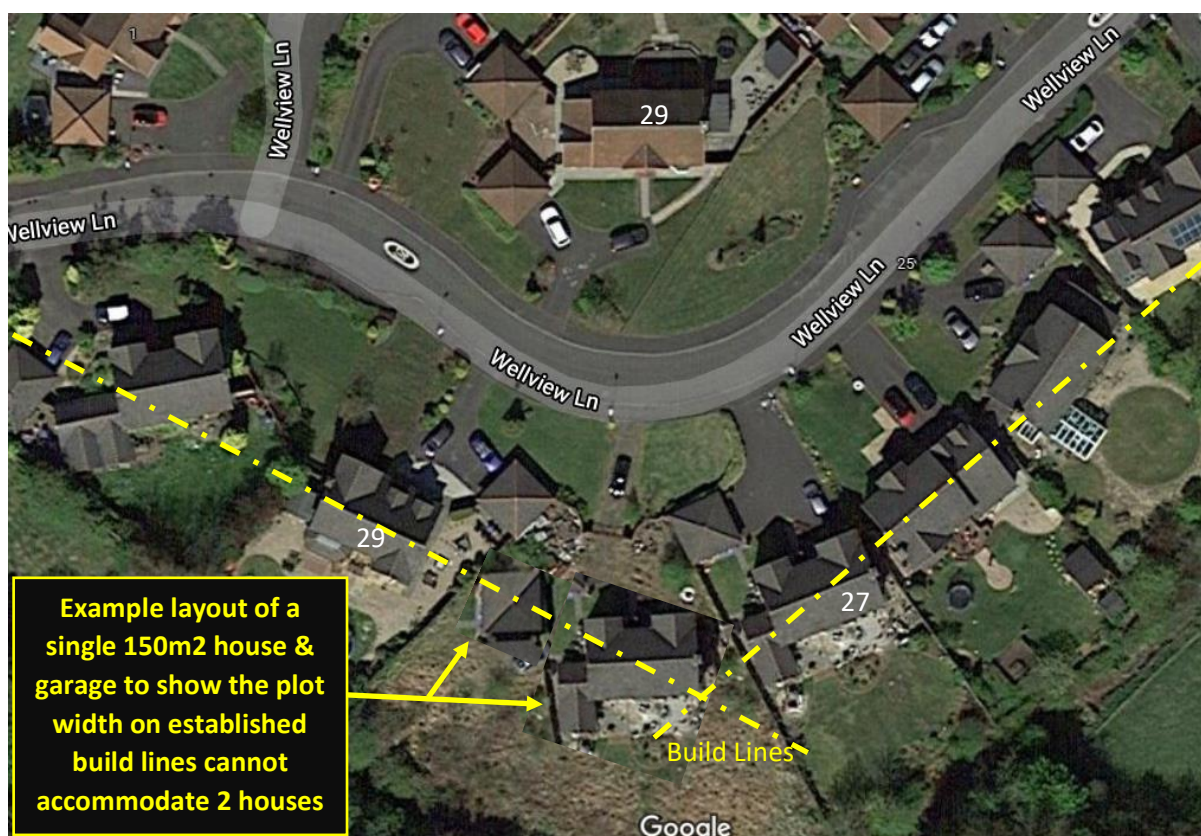
Appendix 2 - Approved Planning Drawing - Wellview Lane



Note

- Housing density of 30 properties
- Plot between no 27 and 29 shows a single dwelling built on the build line with large rear garden
- All other corner plots set out with a single dwelling on the relevant build lines

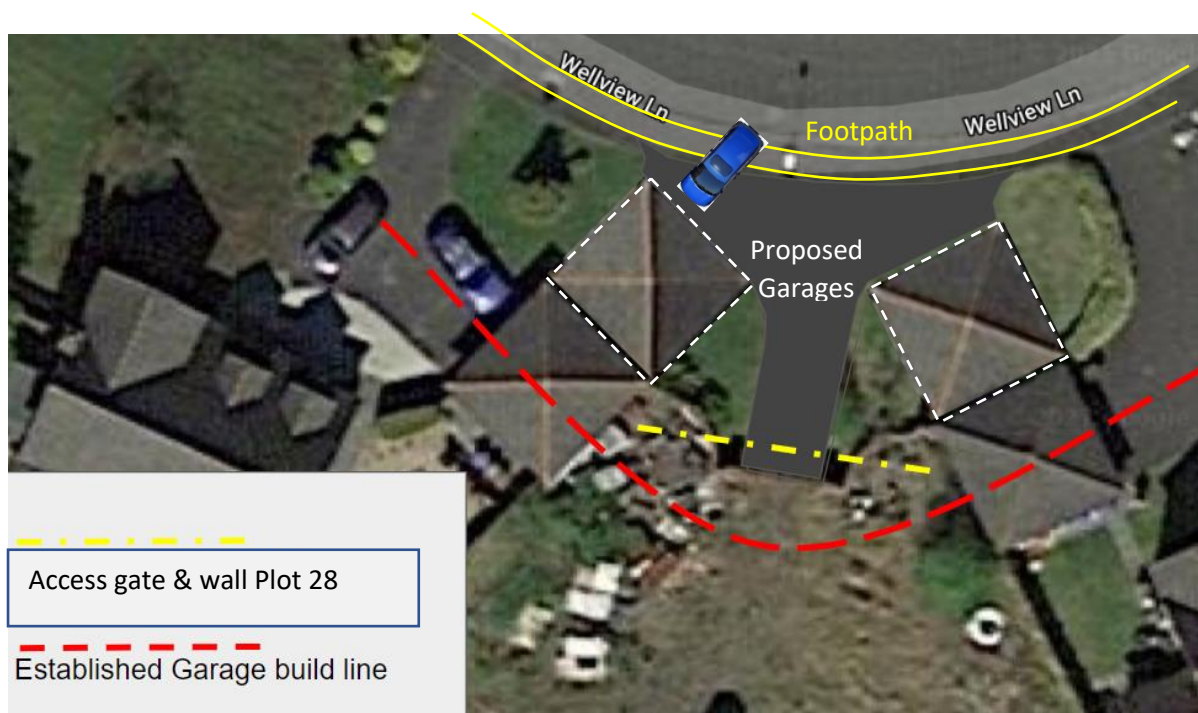
Appendix 3 – Established build lines and proposed property positioning



Notes

- Proposed 2 houses are positioned well behind the established build lines
- Application plan uses “floor plan” area and not actual roof plan area as per the image
- It is worth noting Plot 5 and its setting within large surrounding grounds which is the established context of corner plots in Wellview Lane

Appendix 4 – Proposed Garages



Key Features

- The proposed garages allow no space for maintenance of existing garage walls and gutters
- The proposed garages are located dangerously close to the footpath
- The proposed garages are located in front of the established (for over 20yrs) plot entrance wall and gate
- The proposed garage access is 20m from the proposed house
- The proposed garages are closer to the neighbouring properties than the property to which they are allocated
- The proposed garages are located on a prominent open space and aspect of the streetscape
- The proposed garages positioning takes no account of level differences between roads and existing garages

Appendix 5 – In-sufficient Garage Set Back



Points of Note

- Garage roof plan is approx. 6.5m * 6.5m
- Set Back arrows drawn at 6m
- Distance from proposed garage to footpath is less than 2m
- Average familiar car length approx. 4.5m
- Will result in cars frequently straddling the footpath

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Graham Maciver

Address: 15 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. Objection to the proposal to build two houses on the plot. The plot in question has been derelict since the street was built around twenty years ago. During the present process it has come to my attention that it has been approved throughout that time for a single dwelling. I have seen the original 2000 approved plan, the dwelling on which plan is in entirely in character with the rest of the development. Adhering to that plan would remain the appropriate course today and would maintain the density of the rest of the street.

I would also question the necessity of building two houses on the plot at all. Despite having had permission for a single house two decades ago, the land has been left derelict. There has not during my time in the street been any use made of it other than to park vehicles among the undergrowth.

2. Objection to the proposal to build garages so close to the street. The other properties on the street: (a) are set back from the street; and (b) have garages set back from the street i.e. with driveways/carports between the garage and roadway. The street is thus a light, open space with clear views along pavement and roadways, and across each plot. To build garages per the application (i.e. directly adjacent to the pavement) would be out of character with the rest of the development. The lack of a driveway/car port would also cause access issues for other residents, as unlike them the owners of such garages would require to use the roadway for stopping, turning, locking etc.; if multiple vehicles were involved the owners would have to use the street for parking, unlike all of the other homeowners in the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Colin MacDonald

Address: 22 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We purchased our property as part of the initial development and were assured that the plot being discussed would be a single dwelling in keeping with the remainder of the estate.

The estate was planned with 30 houses and the plot No28 would be developed in line with the existing houses regarding size and style.

The proposed construction of 2 smaller homes on a single plot would detract from the existing development.

The 2 homes are being set back behind the current building line to fit on the plot and would not be in keeping with the existing development.

The proposed siting of 2 garages at the roadside would mean that there is no room to park in front of the garage without obstructing the pavement. This was demonstrated with a mock up on site to demonstrate the layout and it clearly showed no room for a vehicle in front of the garage.

The location of the garages would be on a bend in the street where any manoeuvring would require reversing onto the bend.

It would be safer if there was a single dwelling with an adequate driveway as shown on the original development plan.

The visual aspect of the estate would be detrimentally affected as the proposed garages would reduce the open space that our development is known for.

The garages are facing onto the road unlike the other detached garages in the development and could not be obscured by landscaping.

I am happy to support any application for a single dwelling with suitable driveway and garage set back as per the original development plan.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr David Baxendale

Address: 21 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The original plan for the development at Wellview Lane was intended to total 30 dwellings, 29 built by the developer and the final plot (subject of this planning application) for one further dwelling. The proposal to site 2 properties on this plot is not in keeping with that plan and detrimental to the existing development.

The wish to build two properties on to the plot requires the applicant to locate the garages in front of the existing building line - that being the front wall. This will create a frontage that extends well beyond this point and conflicts sharply with the layout of the estate. Any new development should not be allowed to extend beyond the existing building line.

The location of the garages will cause a public safety hazard being so close to the footpath and with direct access to the road at a point where the view of oncoming traffic is restricted due to a bend immediately to the north side.

I have no objection to the applicant erecting a single dwelling, design of which is in keeping with the other properties, and which respects the existing building line.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr DOUG JAMESON

Address: 20 Wellview Lane LIVINGSTON EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am led to believe that the original plan for the development at Wellview Lane was intended to total 30 dwellings. The proposal to site 2 properties on this plot would exceed the total number to 31 plus the fact that the proposed plan is not in keeping with the original plan apparently.

The proposal to build two properties on to the plot requires the applicant to locate the garages in front of the existing building line. - that being the front wall. Currently, there is an abandoned motor vehicle and trailer on the plot which is an eyesore! To locate the garages as per the proposed plan would create another eyesore! It conflicts with the layout of the estate. Any new development should not be allowed to extend beyond the existing building line.

From: [Planning](#)
To: [Calderwood, Alexander](#)
Subject: FW: Planning Objection Application Number 1245/P/21 - [OFFICIAL]
Date: 12 January 2022 07:07:24

DATA LABEL: OFFICIAL

Shannon Fairley
Planning Technician
Development Management
Shannon.fairley@westlothian.gov.uk

-----Original Message-----

From: Stuart Boyd [REDACTED]
Sent: 11 January 2022 18:40
To: Planning <Planning@westlothian.gov.uk>
Subject: Planning Objection Application Number 1245/P/21

Hi,

11 January 2021

Mr and Mrs S Boyd
I Wellview Lane Murieston
EH549HU

I am writing regarding the proposed planning on plot 28 between 27 and 29 Wellview Lane. I have documented my concerns and objections below.

My understanding is that this plot was approved in 2000 as a single building plot and fully in keeping with the design principles of the development. The proposal of 2 buildings would contradict this and look out of character to the rest of the development, the fact that the plot is named as 28 and looking at the size of it compared with the others plot would confirm that it is only suitable as a 1 single building.

My further objection is the proposal for separate garages at the front of the plans, firstly looks out of place with the other housing designs and I doubt if any vehicle could be parked outside without impacting the current footpath, especially since this plot is at a bend in the road. In addition any street parking would have been designed for 30 houses and not 31.

Regards

Mr and Mrs S Boyd

West Lothian Council - Data Labels:

OFFICIAL - Sensitive: Contains Personal or Business Sensitive Information for authorised personnel only

OFFICIAL: Contains information for council staff only

PUBLIC: All information has been approved for public disclosure

NON-COUNCIL BUSINESS: Contains no business related or sensitive information

Link to Information Handling Procedure: <http://www.westlothian.gov.uk/media/1597/Information-Handling-Procedure/pdf/infohandling1.pdf>

SAVE PAPER - Please do not print this e-mail unless absolutely necessary.

[Please remember to wash your hands. 20200807]<<https://www.nhsinform.scot/coronavirus>>

13/3/22

Dear Sirs

Objection to Planning Application P 1245/P/21

Please see attached letter - this replaces our letter dated 9/3/22. A copy of the enclosed letter has been emailed to Alexander Calderwood and Planning team.

Many thanks

Harriet Wilson

13th March 2022
By email and hand delivery

29 Wellview Lane
Murieston
Livingston
EH54 9HU

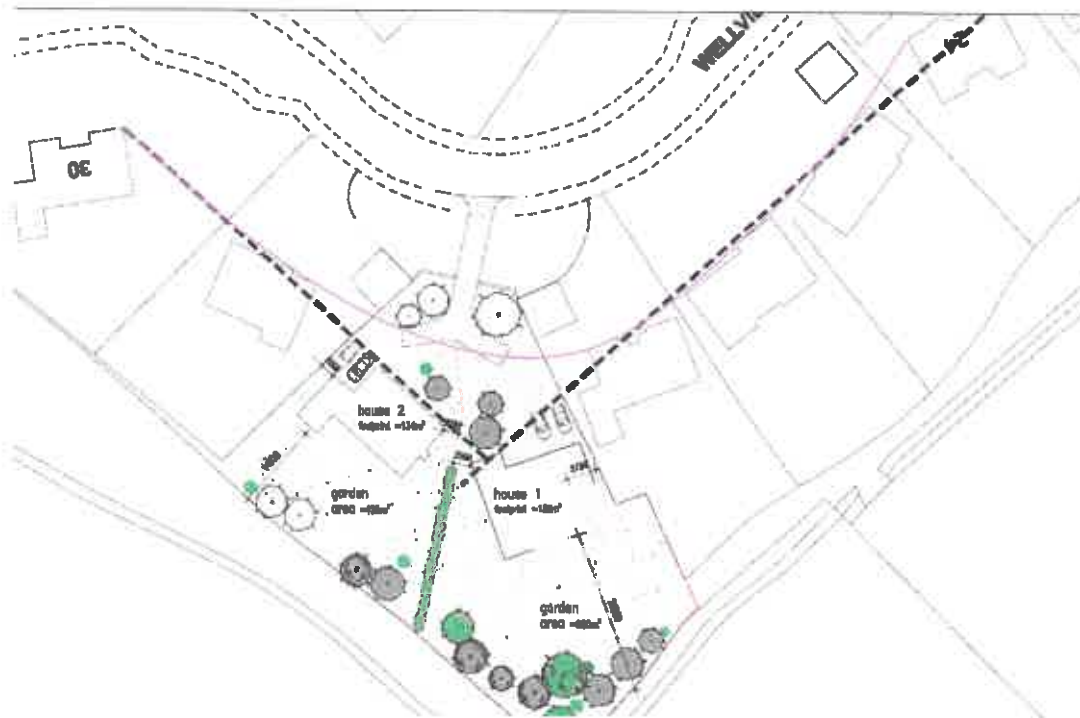
Development Management Manager,
West Lothian Council,
Civic Centre,
Howden South Road,
Livingston,
EH54 6FF

Dear Sirs

Planning Application 1245/P/21 - Land Between No 27 and No 29 Wellview Lane (Plot 28)
Objection to revised drawings 21061-PO2C

We received the Notice of Amended Plans Submitted on the 3rd March 2022 with a deadline of 14th March (revised 9th March to 21st March) for comments.

After carefully considering the revised plans, we are sorry that we cannot remove our objection to the planning in principle using revised Site Plan C, which we reproduce below.



The dotted building line shown in the Site Plan C is shown as linear and is misleading.

Using architectural software, it is apparent that the established build line at this location is an elliptical build line, as shown by the purple line on the map above

In repositioning, the side elevation of House 2 has moved 3m closer to our property, now being only 2 metres from the boundary. This leaves most of the house protruding beyond the rear elevation of our property, and the fact that this has moved closer to the private area of our back garden (by 3m), means that the mass and scale of this protrusion will be **just as substantial** as before. The position of House 2 represents an erosion of our amenity and will be oppressive to ourselves, impacting significantly on our residential and visual amenity as shown in the 3d visualisations presented below, produced from Site Plan C.



A similar situation is also still present in respect of House 27.



In addition to the above rendered image from the 3d architectural model, we include below a photograph taken looking along our rear elevation with a marker post in place to show the extent of House 2. This extends to beyond 30% of our back garden curtilage and will dominate the private area of our rear garden.



Site Plan C

We would also dispute the distances shown on the drawings. These could be misunderstood.



The applicant's site plan shows the distance to the path and not the house. The length to the rear boundary to the house is 12.423m. We believe that the house dimensions and positions should be fixed with clear and accurate dimensions provided to defined reference points.

We have no objection to a property in this plot of land. However, we do not want our visual and residential amenity dominated by a substantial structure only 2 metres from our property and protruding significantly beyond our rear elevation

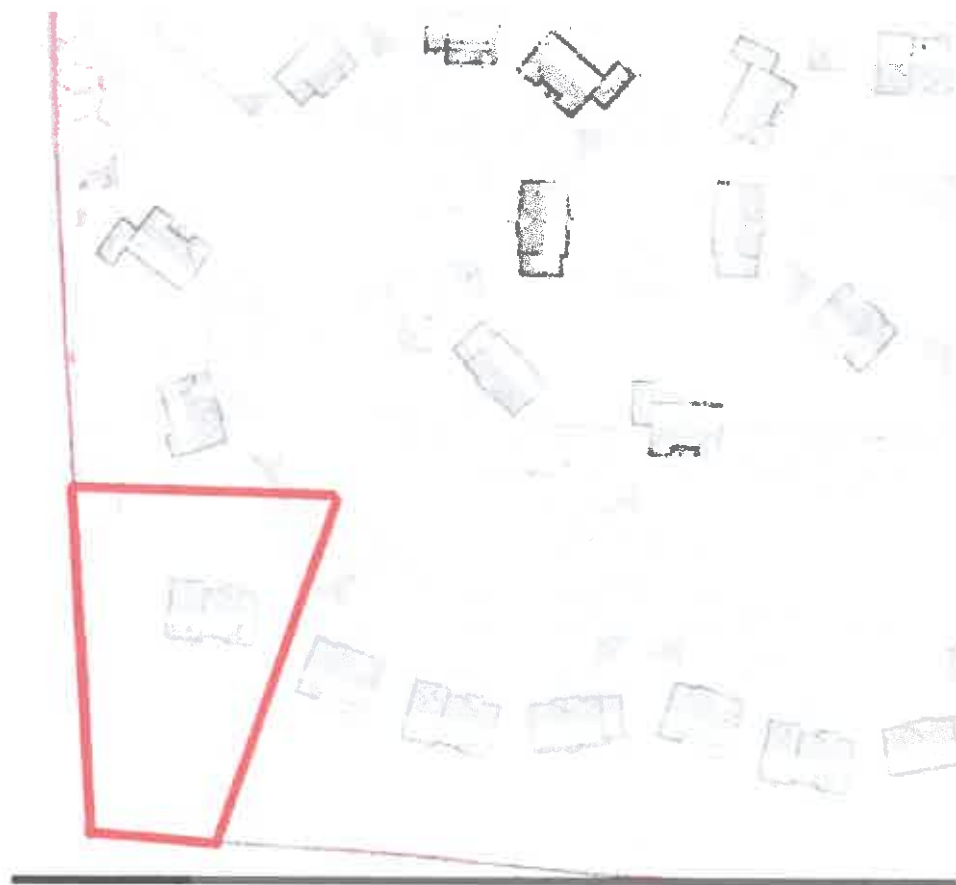
In this regard we refer to 'WLC Supplementary Guidance Residential Development Guide-Small Scale Residential Infill' (536), which states that in areas of established residential development the Council's **overriding objective** will be to avoid the significant erosion of, amenity and privacy enjoyed by the people who currently live there....'.

Should Plan C be resubmitted to show House 2, moved a minimum of 4.7m forward of the current proposal, such that there is no building of substantial scale and mass protruding beyond our rear elevation and interfering with our residential and visual amenity, we would consider removing our objections.

However, as things stand, we are objecting on the following grounds.

Our material planning considerations in objection to this application are;

- The proposal will produce a structure whose mass and scale will dominate the private area of our rear garden, causing an impact on our residential and visual amenities. Our house was purchased with the knowledge that if any building were getting constructed, it would be in accordance with the plans below. Also, that there is a similar impact at number 27.
- The proposals would increase the density of the buildings to that greater than the original design of the actual planning application (Previous planning applications are a material planning consideration).
- The proposal is of poor design and would be detrimental to the visual amenity of the original development by causing a greater mass of buildings at this corner. In addition, this will cause a precedent to which other corner plots may be used as a material consideration when applying for planning permission.



In addition, we would ask that a condition be attached to the consent by the planning authority that House 2 cannot be built beyond the rear elevation of number 29 Wellview Lane.

We invite the Case Officer to visit our property to appreciate the true scale and impact of the proposals as this cannot be understood by a 1:500 site plan.

Yours Sincerely
Mr & Mrs Wilson
29 Wellview Lane
EH54 9HU

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Graham Maciver

Address: 15 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to my previous comments dated 14 January. Taking those in reverse order:

a. One of the specific objections at my comment 2 has been addressed, in that the two on-street garages are no longer part of the revised plan. However it appears from the new plan that there are to be no garages as part of the proposed development. All of the other houses in the street have garages, either separately or as part of the ground floor. It is not clear whether the buildings now proposed will have garages on the ground floor (the presence of cars on the plan suggests perhaps not). It is impossible to say whether the revision has addressed the risk of parking, congestion and blockages on the street. I therefore have to maintain my objection to that extent.

b. My comment 1 is not addressed, as the revised plan remains for two houses. I maintain that comment.

In addition I have seen the additional neighbour comment of 13 March from Mrs Wilson. Her observation there about the building line being elliptical, rather than the angular dotted line shown on the revised plan, looks to be plainly correct. It is disappointing that the revised plan should have attempted to portray otherwise.

I cannot speak to her observations regarding the rear elevations of the proposed buildings, but they do look to be an unavoidable consequence of alignment on the basis of the dotted line rather than along the elliptical line.

Together this reinforces the observation in my comment 1 that adherence to the original plan is the

correct course. Its approval and sale twenty years ago, on the basis of a single dwelling, looks to have been a deliberate and logical choice, in keeping with the rest of the street. Given the narrower frontage of the plot at the elliptical line, it does appear that the proposal for two houses may simply be incompatible with the scheme of the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Fiona MacDonald

Address: 22 Wellview Lane Livingston EH549HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We purchased our House on the basis that there would be a single house on this plot. A single number was allocated. Based on the plans the two houses proposed have been pushed back into the plot, well behind the true curved build line. They will be visible from my rear garden removing my open aspect. They are far closer together than all the houses in the road. The proposed double garages on the original application have been removed but the footprints of the houses have not changed. Either the houses will have no garage or they will have integrated garages making the houses much smaller. The value of each will be significantly less than the other houses in the road. This is likely to reduce the value of my house. I object strongly to the erection of two inferior houses on this plot planned for a single large family home, in keeping with the rest of the houses on Wellview Lane.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mr Stuart Boyd

Address: 1 Wellview Lane Livingston Eh549hu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The amended plans are an improvement, however I still object on the basis that the original plans when the development was created was for 1 house, the 2 houses planned are not in keeping with the remainder of the development. It is not clear if they will have any garages and I am still concerned regarding available parking around the entrance and on street parking.

I have no objection to the building of 1 property and in keeping with the rest of the development.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Fiona MacDonald

Address: 22 Wellview Lane Livingston EH54 9HU

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plan is for two houses. I bought my house on the understanding the plot was for a single house. Only one house number has been allocated. The proposed houses have no garage so will be totally out of character for the road. They are set back from the true build line which is a curve following the line of the road. The build line shown is at a sharp angle which and has been artificially created by chopping off the corner of the two adjacent houses. I object strongly to the building of two inferior houses in the space allocated for a single house in keeping with those already present.

Comments for Planning Application 1245/P/21

Application Summary

Application Number: 1245/P/21

Address: Land Between 27 And 29 Wellview Lane Murieston Livingston West Lothian EH54 9HU

Proposal: Erection of two houses

Case Officer: Alexander Calderwood

Customer Details

Name: Mrs Suzanne Boyd

Address: 1 Wellview Lane Livingston Eh549hu

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My initial objection was due to two houses being built on this plot, which is contrary to the original plans. Despite a number of revised plans, it still shows as two houses, the size of the houses is not in keeping with the street and I fear this could have an impact on the house values, in addition the concerns about parking etc still remain.

30th May 2022

29 Wellview Lane
Murieston
Livingston
EH54 9HU
By email

Development Management Manager,
West Lothian Council,
Civic Centre,
Howden South Road,
Livingston,
EH54 6FF

Dear Sirs

Planning Application 1245/P/21 - Land Between No 27 and No 29 Wellview Lane (Plot 28)
Objection to revised drawings 21061-P02D

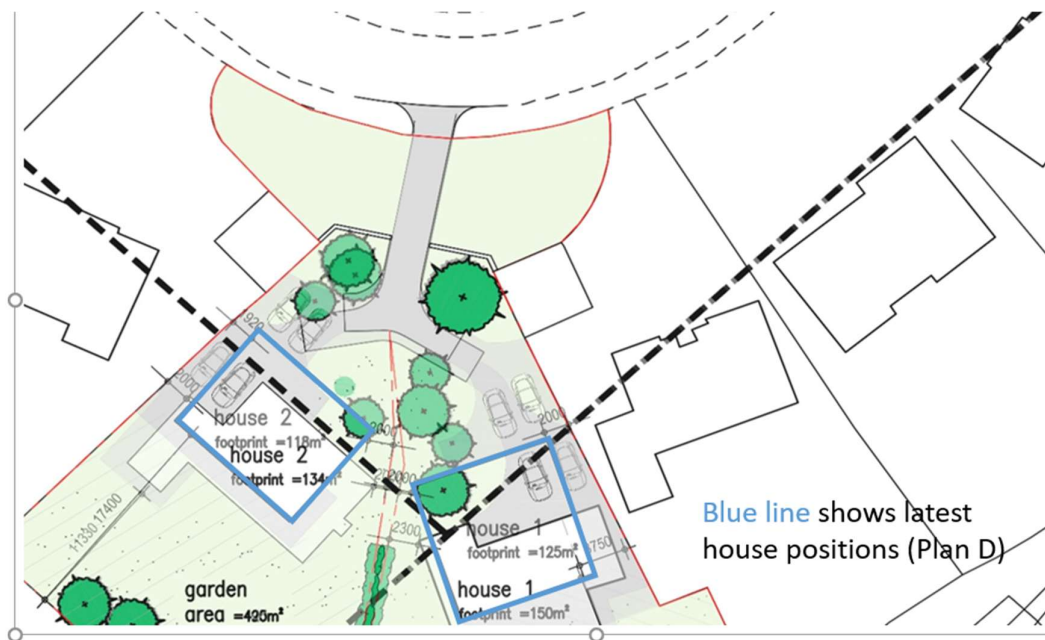
We received a Notice of Amended Plans on 25th May with an expiry date of 27th May, which was subsequently extended to 3rd June 2022.

The revised layout drawing for the above application is reproduced below.



We have previously made reasonable requests for House 2 to be positioned gable to gable with no.29 (i.e. moved forward a min of 4.7m from the position shown in Rev C), recognising the Council's overriding objective for infill development to avoid significant erosion of amenity.

In considering the latest layout, we have had the new revision overlain on the previous drawing.



As can be seen, the differences between the previous plan and the new plan are minimal when it comes to House 2. The rear elevation of House 2 has moved forward **less than 2m**, when there is ample space for it to be brought further forward (i.e. a minimum of 4.7m) and repositioned more sympathetically (i.e. gable to gable).

The result is that more than 50% of House 2 projects behind our rear elevation as shown below. This would have an overbearing effect on the private area of the first 3 metres of our garden.



Had House 2 been repositioned recognising the proper, established building line the indicative layout would be as below.



It is evident the plot shape prevents two houses (even of the smaller size now shown) being positioned sympathetically to the adjacent properties and close to the established build line. Trying to accommodate two properties on this site (even without 2 double garages), results in unacceptable impacts on existing adjacent properties.

This reinforces why the site was originally approved for a single house.

Unfortunately, therefore we must object in principle as we do not want our visual and residential amenity unnecessarily impacted by House 2.

The latest layout has not addressed our concerns as raised in our previous objections and these are restated below;

- The proposal will produce a structure whose mass and scale will dominate the private area of our rear garden, causing an impact on our residential and visual amenities. Our house was purchased with the knowledge that if any building were to be constructed, it would be in accordance with the plans below (ref the original planning approval and developers site plan).
- The proposals would increase the density of the buildings to that greater than the original design of the actual planning application (previous planning applications are a material planning consideration).
- The proposal is of poor design and would be detrimental to the visual amenity of the original development by causing a greater mass of buildings at this corner. In addition, this will create a precedent to which other corner plots may be used as a material consideration when applying for planning permission.

Following four revisions, it has not been possible to design a two-house layout without overbearing impact on neighbouring properties. This is a clear indication that the proposal for two dwellings is unsuitable in principle.

We hope the planning authority is now minded to refuse the application for two dwellings in principle.

Yours Sincerely
Mr & Mrs Wilson
29 Wellview Lane

PROPOSED DELEGATED PLANNING DECISIONS

☒ LOCAL MEMBER REFERRAL REQUEST ☒

In accordance with standing orders members wishing a planning application to be heard at the Development Management Committee have to either represent the ward in which the application site is located or be chair of Development Management Committee and complete and return this form to Development Management within 7 days and by 12 Noon.

The planning application details are available for inspection within the Planning & Building Standards web site by clicking on the link below.

<https://planning.westlothian.gov.uk/publicaccess/>

<u>Application Details</u>	<u>Reason For Referral Request</u> (please tick ✓)
<p>Application Reference Number</p> <p>.....1245/P/21.....</p> <p>Site Address</p> <p>Land Between 27 And 29 Wellview Lane Murieston, Livingston, West Lothian, EH54 9HU</p> <p>.....</p> <p>Title of Application</p> <p>....Erection of two houses</p> <p>.....</p> <p>Member's Name</p> <p>Cllr Peter Heggie.....</p> <p>Date</p> <p>.....10 June 2022.....</p>	<p>Applicant Request..... <input type="checkbox"/></p> <p>Constituent Request..... ✓</p> <p>Other (please specify)..... <input type="checkbox"/></p>